

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DERRICK L. HARRIS,

Defendant.

Case No. 17-CR-167-2-JPS

ORDER

On May 22, 2018, the grand jury returned a superseding indictment against Defendant, charging him with two counts of violating 18 U.S.C. §§ 1513(b)(2) and 924(c)(1)(A)(iii). (Docket #123). On January 22, 2019, the parties filed a plea agreement indicating that Defendant has agreed to plead guilty to Count One of the superseding indictment, the remaining count to be dismissed at sentencing. (Docket #191).

The parties appeared before Magistrate Judge Nancy Joseph on February 12, 2019 to conduct a plea colloquy pursuant to Federal Rule of Criminal Procedure 11. (Docket #193). Defendant entered a plea of guilty as to Count One of the superseding indictment. *Id.* After cautioning and examining Defendant under oath concerning each of the subjects mentioned in Rule 11, Magistrate Joseph determined that the guilty plea was knowing and voluntary, and that the offense charged was supported by an independent factual basis containing each of the essential elements of the offense. (Docket #194 at 1).

On February 13, 2019, Magistrate Joseph filed a Report and Recommendation with this Court, recommending that: (1) Defendant's plea of guilty be accepted; (2) a presentence investigation report be prepared;

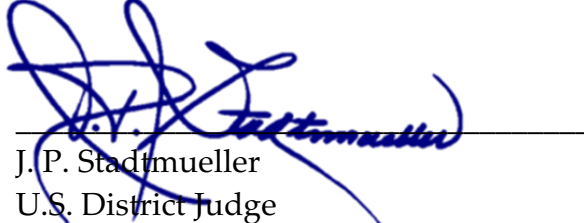
and (3) Defendant be adjudicated guilty and have a sentence imposed accordingly. *Id.* Pursuant to General Local Rule 72(c), 28 U.S.C. § 636(b)(1)(B), and Federal Rule of Criminal Procedure 59(b), the parties were advised that written objections to that recommendation, or any part thereof, could be filed within fourteen days of the date of service of the recommendation. *Id.* at 2. To date, no party has filed such an objection.¹ The Court has considered Magistrate Joseph's recommendation and, having received no objection thereto, will adopt it.

Accordingly,

IT IS ORDERED that Magistrate Judge Nancy Joseph's Report and Recommendation (Docket #194) be and the same is hereby **ADOPTED**.

Dated at Milwaukee, Wisconsin, this 1st day of March, 2019.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge

¹On February 20, 2019, the parties filed an amendment to the plea agreement to reflect forfeiture language that was in the superseding indictment, but mistakenly omitted from the plea agreement. (Docket #196). The Court accepts this amendment.